

REMARKS

Claims 3, 6 and 7 are pending in the application and are presented for a first substantive examination on the merits.

In the outstanding Office Action, claims 1 – 34 were subjected to an election of species requirement. Claims 1 – 2, 4 – 5, and 8 – 34 are hereby withdrawn without prejudice or disclaimer.

By this Response to Election of Species Requirement, an election without traverse, is made.

Election of Species Requirement Summary

The Examiner has required election of one of four species of invention and requires identification of the claims reading on the elected species. The Examiner asserts that a first species (species 1) is depicted in Figures 4A through 5A; a second species (species 2) is depicted in Figures 7 and 8A; a third species (species 3) is depicted in Figure 26 and is readable upon claims 12 – 14, 33 – 34, and 37 – 38; and a fourth species (species 4) is depicted in Figure 27 and is readable upon claims 15 and 16.

Response

Applicant elects to continue prosecution of Species 1, figures 4A – 5A without traverse. Applicant asserts that claims 3, 6 and 7 read on figures 4A – 5A. However, the Applicant's assertion in no way is an indication of an intent to limit the aforementioned claims to the embodiment depicted in figures 4A – 5A.

In view of the foregoing, Applicants respectfully request that the Examiner reconsider and withdraw the restriction requirement, and to examine all of the claims pending in this application.

CONCLUSION

In light of the foregoing, Applicant respectfully requests the Examiner to conduct a first substantive examination of the application. If the Examiner has any questions or comments regarding this matter, he is welcomed to contact the undersigned attorney at the below-listed number and address.

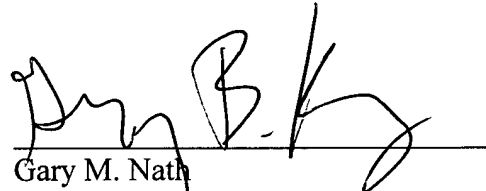
In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,
NATH & ASSOCIATES PLLC

Date: October 14, 2004

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By:

A handwritten signature in black ink, appearing to read 'Gary M. Nath', is written over a horizontal line.

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